

WHS PROCEDURES

SAFETY Everyone. Everywhere. Every day.

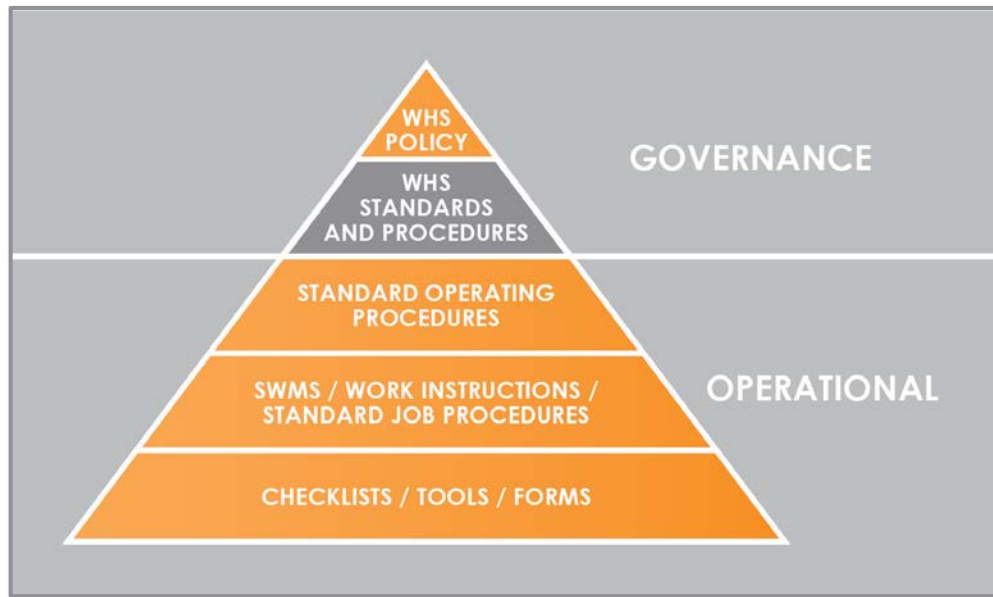
WHS LEGAL AND OTHER REQUIREMENTS

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1. WHSMS DOCUMENT HIERARCHY



2. PURPOSE

The purpose of this procedure is to provide guidance to Queensland Urban Utilities (QUU) in order to effectively discharge its due diligence relating to work health and safety (WHS), and to ensure that the organisation consistently complies with all current legislation, codes of practice, Australian Standards and other legislative requirements.

3. SCOPE

This procedure covers the management of WHS-related legal and other legislative obligations and applies to all employees and any other persons present on QUU-controlled worksites.

4. DEFINITIONS AND ACRONYMS

ACCOUNTABLE OFFICER (AO): ensures that QUU is compliant with all its WHS obligations. For the purposes of this procedure the AO is the Chief Executive Officer or their representative.

DUE DILIGENCE: An Officer within QUU shall demonstrate 'Due Diligence' by taking reasonable steps to:

- Maintain current information within the WHS management system (WHSMS) and provide adequate consultation of WHS issues.
- Analyse the nature and operations of the work and associated hazards and risks.
- Allocate appropriate resources and processes to eliminate or reduce risks to health and safety.
- Implement appropriate processes to receive, consider and record information about incidents, hazards and risks, and to respond in a timely manner.
- Implement robust processes to comply with their legislative duties and obligations (e.g. report notifiable incidents, consult with workers, comply with notices, provide training and instruction, and provide Health and Safety Representatives with adequate training).

OFFICER: a term used to refer to directors, partners, or anyone else who makes decisions which affect the whole or a substantial part of a business or undertaking.

Under the WHS Act 2011, Officers are required to exercise due diligence when ensuring that their business or undertaking fulfils its health and safety obligations. This means that Officers are expected to:

- have up-to-date knowledge of all work health and safety matters,
- understand the operations of the business and the hazards and risks involved,
- ensure appropriate resources and processes are in place to enable hazards to be identified and risks to be eliminated or minimised,
- ensure information regarding incidents, hazards and risks is reviewed and responded to in a timely manner,
- ensure that the business has, and implements, processes for complying with any legal duty or obligation,
- ensure that these processes are verified, monitored and reviewed.

PERSON CONDUCTING A BUSINESS OR UNDERTAKING (PCBU): a term which is primarily used to refer to employers, but which is equally applicable to sole traders, contractors, the self-employed, or anyone else who is responsible for workers.

Under the WHS Act 2011, PCBUs are, as far as is possible, responsible for ensuring the health and safety of:

- workers they directly engage or whose activities they influence,
- anyone else who could be put at risk by the activities the PCBU is undertaking, for example visitors, customers, or members of the public.

RESPONSIBLE OFFICER (RO): a Subject Matter Expert (SME) nominated by the AO to establish the appropriate mechanisms to manage and report on QUU's compliance requirements. For the purposes of this procedure the Responsible Officer (RO) is the WHS Manager.

SUPERVISOR: a term used to refer to any QUU employee who acts or is appointed as a Supervisor, Coordinator or Team Leader within QUU.

WHS: Work Health and Safety.

WHS MANAGEMENT SYSTEM (WHSMS): the comprehensive and integrated system of WHS Standards, Procedures, SOPs, Quick Guides and Work Instructions that allows QUU to effectively manage and control our workplace hazards and risks.

WORKER: a person who carries out work in any capacity for a person conducting a business or undertaking. This includes employees, contractors, sub-contractors, apprentices, trainees, volunteers and work experience students.

Under the WHS Act 2011, Workers are responsible for:

- their own health and safety,
- ensuring their actions do not adversely affect the safety of others,
- complying with all reasonable instructions given by the PCBU,
- co-operating with any policy or procedure which has been communicated to them.

WORK HEALTH AND SAFETY POLICY: a statement by an organisation which outlines its commitment, intentions and principles in relation to its overall WHS performance which provides a framework for action and for the setting of its WHS objectives and targets.

5. ROLES AND RESPONSIBILITIES

Officers, Managers and Workers have clear responsibilities and accountabilities for WHS outlined in QUU's **WHS Resources, Responsibility and Accountability Standard (STD132)** and **Procedure (PRO359)**. These responsibilities and accountabilities are non-transferrable and critical to achieving QUU's WHSMS goals, objectives and targets.

Outlined below are responsibilities specific to managing WHS legal obligations:

5.1 ACCOUNTABLE OFFICER

- Oversee the effective management of all notices received by the regulator and provides adequate resources to implement effective control measures.
- Ensure systems are in place to enable QUU's compliance with WHS legislative and other regulatory requirements.
- Contribute to the ongoing improvement of QUU's WHSMS.

5.2 MANAGER

- Ensure compliance with and proactive communication to all staff regarding QUU's WHSMS requirements.
- Contribute to the ongoing improvement of QUU's WHSMS.
- Advise relevant QUU Executives and the WHS Team as soon as reasonably practicable of any Inspectors' intended or actual visits to QUU sites. Notification must also occur if a notice is received from any regulator, Union or Health and Safety Representative.
- Actively participate and cooperate with the QUU WHS Team in the assessment/investigation of workplace risks and ensure appropriate control measures are implemented when issued with a warning or notice from a regulatory body. The risk assessment/incident investigation report must be submitted to the Strategic Safety Group (SSG) for review.
- Ensure that the outcomes, findings and any controls from the risk assessment/investigation are entered into Q-Pulse.

5.3 SUPERVISOR

- Inform their Manager and QUU WHS Team immediately of any visits, or warning or infringement notice issued by an Inspector, Unions or Health and Safety Representative.
- Liaise with their Manager to identify and implement corrective actions including management and communication through Q-Pulse.

5.4 WHS TEAM

- Liaise with Managers and Supervisors on compliance strategies.
- Liaise with Regulator representatives in relation to the strategies undertaken, to achieve compliance with any issued notice.
- Conduct or oversee a documented risk assessment investigation and implement appropriate control measures when issued with a warning or notice from a regulatory body in consultation with relevant managers and stakeholders.
- Ensure that the outcomes, findings and any controls from the risk assessment/investigation are entered into Q-Pulse.
- Ensure the CEO has been advised of any notices or inspector activity on QUU sites.

5.5 WORKER

- Advise their Supervisor immediately of any warning or infringement notice issued by an inspector or Health and Safety Representative.

6. RELATED DOCUMENTS

- Corporate Compliance Program (PRO292)
- Corporate Compliance Program Plan (MP69)
- QUU Legal Register (REG38)
- QUU Risk Management Standard (STD119)
- QUU Risk Management Policy (POL11)

- WHS Audit and Inspections Procedure (PRO366)
- WHS Hazard and Risk Management Procedure (PRO363)
- WHS Resources, Responsibility and Accountability Standard (STD132)
- WHS Resources, Responsibility and Accountability Procedure (PRO359)

7. WHS LEGAL AND OTHER REQUIREMENTS

7.1 OVERVIEW

QUU has responsibilities under Australian and Queensland workplace legislation as well as local council by-laws. QUU's WHSMS will be systematically reviewed and improved to ensure a healthy and safe place of work is provided for all its employees, contractors, visitors and other persons. QUU shall achieve this by implementing a WHSMS that:

- Maintains currency against the relevant WHS legislation including local council by-laws;
- Measures objectives and targets to ensure continued improvement is achieved;
- Is documented, implemented and communicated to all employees;
- Is available to all interested parties;
- Is reviewed periodically to ensure it remains relevant and appropriate;
- Establishes and maintains a healthy and safe system of work as well as work areas, equipment, plant and environment;
- Facilitates and ensures consultation with and engagement of workers through the implementation and continual improvement of WHS programs, procedures, work instructions, forms and tools;
- Provides adequate information, induction, instruction, training and supervision to workers and all other persons on QUU controlled work sites; and
- Ensures the ongoing assessment of health and safety risks to workers and other persons at QUU worksites and the implementation of effective risk control measures.

Where an Australian Standard or Code of Practice exists for a risk, QUU will do one of the following:

- Follow the guidelines set out in the Australian Standard or Code of Practice; or
- Adopt another way that identifies and manages exposure to the risk to an equal or greater extent than the Australian Standard or Code of Practice and take reasonable precautions and exercise due care.

7.2 LEGISLATIVE AND OTHER LEGAL REQUIREMENTS (LOLR)

The QUU LOLR will be reviewed in accordance with the Corporate Compliance Program Plan (MP69)

7.3 REGULATORY AUTHORITIES

Upon the issue of a warning/notice/directive, a worker or other person on QUU worksites must contact their Supervisor immediately, who must contact their Manager and the QUU WHS Team with the details of the offence and the response date stated on the notice.

Any notices issued by the regulator must be investigated/risk assessed, depending on the nature of the offence with a copy of the final report provided to the SSG. All outcomes, findings and any controls from the risk assessment/investigation must be entered into Q-Pulse.

REGULATOR	ACTION
Electrical Safety Office <ul style="list-style-type: none"> • Improvement Notice • Infringement Notice 	UCT RISK ASSES SMENT S/INV ESTIG ATION

<ul style="list-style-type: none"> • Enforceable undertakings • Directions to make unsafe electrical work electrically safe • Electrical safety protection notices to rectify immediate electrical risks • Unsafe equipment notice 	
<p>Work Health and Safety Queensland (WHSQ)</p> <ul style="list-style-type: none"> • Improvement notice • Infringement notice • Prohibition notice • Provisional Improvement Notice (PIN) which requires the involvement of a WHSQ Inspector. 	

A QUU WHS Team Member will, as soon as reasonably practicable and in consultation with all relevant stakeholders, coordinate the investigation process in accordance with the **WHS Audit and Inspection Procedure (PRO366)** and related guidelines.

7.4 LEGAL COMPLIANCE AND REVIEW AUDITS

QUU will undertake audits to ensure legal compliance. The compliance audit forms part of the QUU WHSMS audit program. The audit procedure is outlined in **WHS Audit and Inspections Procedure (PRO366)**.

The QUU WHS Team will promote continuous improvement through the scheduled audit and inspection program, incident investigation, and risk management processes, in consultation with relevant stakeholders.

8. REFERENCES

- QLD Work Health and Safety Act 2011
- QLD Work Health and Safety Regulation 2011
- AS/NZS 4801:2001 Occupational Health and Safety Management Systems – Specification with guidance for use
- OHSAS 18001:2007 *Occupational Health and Safety Management Systems*

9. REVIEW

This procedure is to be reviewed every 2 years or earlier if:

- There is an identified risk to the business;
- A significant WHS or unplanned event occurs;
- Incident investigation or audit results demonstrate that the procedure is failing to deliver the required outcomes;
- There are changes in associated legislation; or
- There is evidence that the procedure is not having a positive impact on WHS-related KPIs.

10. FURTHER INFORMATION

For further information, contact your Health and Safety Representative (HSR) or a member of the QUU WHS Team.